

7835

SOME CAUTIONS

OFFERED TO THE

CONSIDERATION OF THOSE WHO ARE TO CHUSE

MEMBERS

TO SERVE IN THE ENSUING

PARLIAMENT.

BY THE LATE

MARQUIS OF HALIFAX.

Savile (George)

K

LONDON:

Printed in the Year 1699.

RE-PRINTED, 1796.

SOLD BY J. DEBRETT, OPPOSITE BURLINGTON-HOUSE,
PICCADILLY; AND J. S. JORDAN, FLEET-STREET.

(PRICE ONE SHILLING.)



ADVERTISEMENT.

THE following tract cannot be suspected of being written with a view to the political dissensions of the present day; and it is re-published in order to awaken the attention of englishmen to the consideration of a duty, which has been so flagrantly and openly violated. There is no public act of higher importance than that of giving a vote for the Commons house of parliament, and yet there is scarcely any that is less looked upon in a moral light, for the proper discharge of which every man should consider himself as accountable. So far as the example and influence of each individual reach, so far does he either stem the torrent of corruption, and promote the dearest interests of his fellow citizens; or, give his sanction to actions which disgrace the morals of the nation, and involve it in distress and ruin. For, what is society but the aggregate of the individuals composing it? He, therefore, who does not act when it is in his power, or who acts from partial and selfish motives, shares in the guilt contracted, however enormous it may be.

It is a matter of general notoriety, that, on the dissolution of a parliament, they who come forward as candidates for the suffrages of the public, do not rest their claims upon their political merit. If the last chosen members are opposed, it is by those who have been making interest for the two or three years preceding, and practising every artifice in their power to alienate the regard of the voters from those who are, *perhaps*, serving them to the utmost of their ability, that they may transfer it to themselves. And what is the method by which they endeavour to effect their purposes?

purposes? Do they enlighten the minds of the electors? Do they exhibit a long series of actions, to demonstrate the purity of their intentions, and convince the understanding that they have nothing so much in view as the general welfare? Far from it. It is by the exertion of family interest; by using undue influence over those who are considered as dependants; by keeping those who are called the common people, in a delirium of drunkenness; and by such means as at once disqualify them for the situation to which they aspire. It is by telling the voters how unworthy they are of their confidence, that they endeavour to prevail. But, were the electors faithful to their own interests, these practices could not take place. Repeated attempts to corrupt are occasioned by the frequency and facility of success. He who is biassed by undue influence, shews to the world how weak is his sense of duty, and thereby invites the attacks of the interested and the profligate. The true claim which every man has to the suffrage of his countrymen, is the rectitude of his political conduct; consequently the true criterion of duty in an elector, is his giving his voice for him who has been uniformly actuated by a view to the enlarged interests of society.

4 00 58

Westminster, February 15, 1796.

SOME CAUTIONS

OFFERED TO THE

CONSIDERATION OF THOSE WHO ARE TO CHUSE

MEMBERS

TO SERVE IN THE ENSUING

PARLIAMENT.

I WILL make no other Introduction, than that it is hoped the Counties and Boroughs will remember in general, That besides other Consequences, they will have the Credit of a good Choice, or the Scandal that belongeth to an ill one.

The Creators will be thought like their Creatures; and therefore an ill Choice will either be a Disparagement to their Understanding, or their Morals.

There cannot be a fuller Approbation of a Thing, than the chusing of it; so that the Fault of the Members chosen, if known before-hand, will be judged to be of the Growth of that County or Borough, after such a solemn Approbation of them.

In short, those who send up their Representatives to *Westminster* should take Care they may

B

be

be such as will do them Right, and their Country Honour.

Now to the Particulars.

I. A very extraordinary Earnestness to be chosen, is no very good Symptom: A Desire to serve the Nation in Parliament, is an *English* Man's Ambition: Always to be encouraged, and never to be disapproved.

A Man may not only be willing to stand, but he may declare that Willingness to his Friends, that they may assist him, and by all the Means becoming a modest and prudent Man, he may endeavour to succeed, and prevent the being disappointed in it.

But there is a wide Difference between this and the raising a Kind of petty War in the County or Corporation; entering the Lists rather for a Combat than an Election; throwing Fire-balls to put Men into Heat, and omitting to spread no Reports, whether true or false, which may give an Advantage by laying a Blemish upon a Competitor.

These Methods will ever be suspicious: It will never be thought a natural Thing for Men to take such extravagant Pains for the mere Sake of doing Good to others.

To be content to suffer Something for a good End, is that which many would do without any great Repugnance: But where a Man can honestly propose nothing to himself, except Troubles, Charge, and Loss, by Absence from his own Affairs,

to

to be so violent in the Pursuit of so ill a Bargain, is not at all suited to the languishing Virtue of Mankind so corrupted.

Such a self-denying Zeal, in such a self-seeking Age, is so little to be imagined, that it may without Injury be suspected.

Therefore when these blustering Pretenders come upon the Stage, their natural Temper and other Circumstances ought to be very well considered, before Men trust them with the Disposal of their Money, or their Liberty.

And I am apt to believe, there could hardly be found one single Man whose other Qualifications would over-balance the Objections that lie against such importunate Suitors.

II. Recommending Letters ought to have no Effect upon Elections.

In this I must distinguish ; for though in Strictness, perhaps there should be no Exception ; yet in Compliance with long Practice, and out of an Indulgence that is necessary in a Time when Mankind is too much loosened from severe Rules, to be kept close up to them, Letters sent only from Equal Men, doing Good Men Right by giving Evidence in their Behalf, offering them as fitly qualified, when they really are so, and freeing them from unjust Aspersions, may be still allowed.

The Letters I mean, are from Men of Power, where it may be beneficial to comply, and inconvenient to oppose.

Choice must not only be free from Force, but from Influence, which is a Degree of Force: There must be no Difficulty, no Apprehension that a Refusal will be ill taken, or resented.

The Freeholders must be Freemen too; they are to have no Shackles upon their Votes in an Election: and the Men who stand, should carry their own Letters of Recommendation about them, which are their good Character and Behaviour in the World, without borrowing Evidence, especially when it comes from suspected Hands.

Those who make Use of these Epistles, ought to have no more Advantage from them, than the *Muscovites* have from the Letters put into their Hands, when they are buried, to recommend them to *St. Nicholas*.

The first should as little get Admittance for Men into the Parliament, as these Letters can introduce the Bearers into Heaven.

The Scandal of such Letters lieth first in the arrogant imposing of those that write them, and next in the wretched Meanness of those that need them.

Men must be fallen very low in their Credit, who upon such an Occasion have a Recourse to Power to support it: Their Enemies could not give stronger Evidence of their not being fit for that which they pretend to. And if the Electors judge otherwise, they will be pretty sure

sure in a little Time to see their Mistake, and to repent it.

III. Non-Attendance in former Parliaments ought to be a Bar against the Choice of Men who have been guilty of it.

It is one of the worst Kinds of Non-Residence, and the least to be excused: It is very hard that Men should despise a Duty, which perhaps is the only Ground of the Respect that is paid to them.

It is such a Piece of Sauciness for any one to press for the Honour of serving in Parliament, and then to be careless in attending it, that in a House where there were so many Officers, the Penalty had not been improper to have cashier'd them for not appearing at the General Muster.

If Men forbear to come out of Laziness, let them be gratified by taking their Ease at Home without Interruption: If out of small Cunning to avoid Difficulties, and to escape from the Inconvenience of voting in critical Cases, let them enjoy that despicable Pitch of Wisdom, and never pretend to make a Figure where the Public is to be served.

If it would not be thought advisable to trust a Man immediately after he hath been drawn out of a Gaol, it may be as reasonable to look upon one who for his Non-Attendance in the House hath been sent for in Custody, as a Kind of Bankrupt, which putteth him upon unequal Terms with

those who have been assiduous in the Discharge of their Duty.

They who thought fit in one Session to neglect the Public Business, may be justly suspected, by their standing, in the next to intend their own.

Besides these more deliberate Offenders, there are some who do not attend even when they are in the House; absent in their Thoughts for Want of comprehending the Business that is doing, and therefore diverted from it by any Thing that is trivial.

Such Men are Nuisances to a serious Assembly; and when they are numerous, it amounteth almost to a Dissolution; it being scarce possible for good Sense to be heard, whilst a Noise is made by the buzzing of these Horse-flies.

The *Roman* Censors who degraded a Senator for yawning whilst there was a Debate, would have much more abundant Matter here upon which they might exercise their Jurisdiction.

To conclude this Head, There are so few that ever mended in these Cases, that after the first Experiment it is not at all reasonable to take them upon a new Trial.

IV. Men who are unquiet and busy in their Natures, are to give more than ordinary Proofs of their Integrity, before the electing them into a Publick Trust, can be justified. As a hot Summer breedeth greater Swarms of Flies, so an
active

active Time breedeth a greater Number of these shining Gentlemen.

It is pretty sure, that Men who cannot allow themselves to be at Rest, will let no body else be at Quiet. Such a perpetual Activity is apt by Degrees to be applied to the Pursuit of their private Interest. And their Thoughts being in continual Motion, they have not Time to dwell long enough upon any Thing to entertain a Scruple.

So that they are generally at full Liberty to do what is most convenient for them, without being fettered by any Restraints.

Nay further; Whenever it happeneth that there is an Impunity for Cheating, these nimble Gentlemen are apt to think it a Disparagement to their Understandings not to go into it.

I doubt it is not a Wrong to the present Age, to say, that a Knave is a less unpopular Calling than it hath been in former Times. And to say Truth, it would be Ingratitude in some Men to turn honest, when they owe all they have to their Knavery.

The People are in this Respect unhappy; they are too many to do their own Business; their Numbers, which make their Strength, are at the same Time the Cause of their Weakness; they are too unwieldy to move; and for this Reason Nothing can ever redeem them from this incurable Impotency; So that they must have Soli-

citors to pursue and look after their Interests ; who are too often disposed to dispense with the Fidelity they owe to those that trust them ; especially if the Government will pay their Bills without Abatement.

It is better these Gentlemen's Dexterity should be employed any where than in Parliament, where the ill Consequence of their being Members is too much diffused, and not restrained to the County or Borough who shall be so unwary as to chuse them.

V. Great Drinkers are less fit to serve in Parliament than is apprehended.

Men's Virtue, as well as their Understanding, is apt to be tainted by it.

The Appearance of it is sociable and well-natured ; but it is by no Means to be relied upon.

Nothing is more frail than a Man too far engaged in wet Popularity.

The Habit of it maketh Men careless of their Business, and that naturally leadeth them into Circumstances, that make them liable to Temptation.

It is seldom seen, that any Principles have such a Root, as that they can be Proof against the continual Droppings of a Bottle.

As to the Faculties of the Mind, there is not less Objection ; the Vapours of Wine may sometimes throw out Sparks of Wit, but they are like

scattered

scattered Pieces of Ore, there is no Vein to work upon.

Such Wit, even the best of it, is like paying great Fines; in which Case there must of Necessity be an Abatement of the constant Rent.

Nothing sure is a greater Enemy to the Brain, than too much Moisture; it can the least of any Thing bear the being continually steeped: And it may be said, that Thought may be resembled to some Creatures which can live only in a dry Country,

Yet so arrogant are some Men, as to think they are so much Masters of Business, as that they can play with it; they imagine they can drown their Reason once a Day, and that it shall not be the worse for it; forgetting, that by too often diving, the Understanding at last groweth too weak to rise up again.

I will suppose this Fault was less frequent when *Solon* made it one of his Laws, That it was lawful to kill a Magistrate if he was found drunk. Such a Liberty taken in this Age, either in the Parliament or out of it, would do terrible Execution.

I cannot but mention a Petition in the Year 1647, from the County of *Devon*, to the House of Commons, against the undue Election of Burgesses, who are strong in Wine and weak in Wisdom.

The

TO CAUTIONS FOR CHOICE OF

The Cause of such Petitions is to be prevented by chusing such as shall not give Handle for them.

VI. Wanting-Men give such Cause of Suspicion wherever they deal, that surely the Chusers will be upon their Guard, as often as such dangerous Pretenders make their Application to them.

Let the Behaviour of such Men be never so plausible and untainted, yet they who are to pitch upon those they are to trust with all they have, may be excused, if they do not only consider what they are, but what they may be.

As we pray ourselves, we may not be led into Temptation, we ought not by any Means to thrust others into it; even though our own Interest was not concerned; and sure when it is, the Argument hath not less Force.

If a Man hath a small Estate, and a numerous Family; where it happeneth that a Man hath as many Children as he hath Tenants, it is not a recommending Circumstance for his Election.

When it cometh to be the Question with such a Man, Whether he shall be just to the Publick, or cruel to his Family? It is very possible the Decision may be on the Side of corrupted Nature.

It is a Compliment to this Age, which it doth not deserve, to suppose Men are so tied up to Morality, as that they cannot be pinched out of

it; especially now when it is called Starving not to be embroidered or served in Plate.

The Men chosen to serve their Country, should not be loaden with Suits that may tempt them to assume Privileges; much less under such Necessities as may more immediately prepare them for Corruption.

Men who need a Parliament for their own particular Interest, have more Reason to offer their Service than others have to accept of it. And though I do not doubt, but there may be some whose Virtue would triumph over their Wants, let them be never so pressing; yet to expose the Public to the Hazard of being deceived, is that which can never be justified by those that chuse. And though it must be allowed possible for a Wanting-Man to be honest, yet it is impossible for a Man to be wise that will depend upon it.

VII. There is a Sort of Men that have a Tinsel-Wit, which makes them shine among those who cannot judge.

Club and Coffee-House Gentlemen, Petty Merchants of small Conceits, who have an empty Habit of prating without Meaning; they always aim at Wit, and generally make false Fire.

Their Business is less to learn, than to set themselves out; which makes them chuse to be with such as can only be Witnesses of their small Ingenuity,

genuity, rather than with such as might improve it.

There is a subordinate Wit, as much inferior to a Wit of Business, as a Fidler at a Wake is to the lofty Sound of an Organ.

Men of this Size are in no Degree suited to the Business of redressing Grievances, and making Laws.

There is a Parliament Wit to be distinguished from all other Kinds; those who have it, do not stuff their Heads only with Cavils and Objections.

They have a deliberate and an observing Wit, a Head turned to Public Things; Men who place a greater Pleasure in mending a Fault than in finding it out.

Their Understanding directeth them to object in the right Place, and not like those who go by no other Rule, than to conclude, That must be the best Counsel which was not taken.

These Wholesale Judges shew such a gross and peevish Ignorance that it appeareth so openly in all they say or do, that they give loud Warning to all considering Men, not to chuse them.

VIII. The Dislike of slight airy Men must not go so far as to recommend Heaviness in Opposition to it, especially where Men are convicted of it by Experience in former Sessions.

As a lively Coxcomb will seldom fail to lay in his Claim for Wit; so a Blockhead is apt to pretend

pretend that his Heaviness is a Proof of his Judgment.

Some have an universal Lethargy spread upon their Understanding without Exception; others have an Insufficiency *quoad hoc*, as in some Cases Men have *quoad hanc*; these last can never so turn their Thoughts to publick Business, as to give the Attention that is necessary to comprehend it.

There are those who have such a thick Shell upon their Brains, that their Ignorance is impenetrable, and maketh such a stout Resistance against Common Sense, that it will never be subdued by it: True Heart of Oak, Ignorance that will never yield, let Reason beat never so hard upon it; and though their kind Neighbours have at several Elections sent them up to School again, they have still returned the same incurable Dunces.

There is a false Gravity that is a very ill Symptom; and it may be said, that as Rivers, which run very slowly, have always the most Mud at the Bottom, so a solid Stiffness in the constant Course of a Man's Life, is a Sign of a thick Bed of Mud at the Bottom of his Brain.

A dull Man is so near a dead Man, that he is hardly to be ranked in the List of the Living; and as he is not to be buried whilst he is half alive, so he is as little to be employed whilst he is half dead.

Parliaments

Parliaments are now grown to be quite other Things than they were formerly.

In ancient Times they were little more than Great Assizes; a Roll of Grievances; *Magna Charta* confirmed; Privileges of Holy Church preserved; so many Sacks of Wool given, and away.

Now there are Traps and Gins laid for the well-meaning Country Gentleman; he is to grapple with the Cunning of Men in Town, which is not a little improved by being rewarded and encouraged.

So that Men whose good Intentions are not seconded and supported by some Degree of Ability, are as much the more dangerous, as they are less criminal than cunning Knaves. Their honest Mistakes, for want of distinguishing, either give a Countenance to, or at least lessen the Scandal of the injurious Things that are done to the Publick: and with Leave asked for so odd an Expression, Their innocent Guilt is as mischievous to the Laws and Liberties, as the most deliberate Malice of those that would destroy them.

IX. There is an Abuse which daily increaseth, of sending such to Parliament, as are scarce old enough to be sent to the University.

I would not in this restrain the Definition of these Boys to the Age of Twenty-one: If my Opinion might take Place, I should wish that none might be chosen into the House of Commons under Thirty; and to make some Equality,
I should

I should from the same Motives think it convenient, that no Lord should have a Vote in Judicature under that Age.

But to leave this Digression; I cannot see why the Chufers should not at least make it a Rule among themselves, not to send any Man to represent them under the Age of Twenty-five, which is the Time of Majority in most other Places of the World.

Surely it is not that we are earlier Plants than our Neighbours.

Such Supposition could neither be justified by our Climate, nor by the Degree of Latitude in which we are placed; I must therefore attribute it to the Haste our Ancestors had (and not without Reason) to free themselves from the Severity of Wardships.

But whether this, or any Thing else, was the Cause of our earlier stepping into Man's Estate; so it is now, that according to our Laws, Twenty-one is the Age of Discretion; and the young Man is then vested with a Legal, how defective soever he may be in his Natural Understanding.

With all this, there ought to be a Difference made between coming out of Pupilage, and leaping into Legislators.

It is perhaps inconvenient enough that a Man should be so soon let loose to destroy his own Estate; but it is yet worse, that he should then have a Power of giving away other Men's.

The

The Law must make General Rules, to which there always will be some Objections.

If there were Tryers appointed to judge when Leading-Strings should be left off, many would wear them a very great While, and some perhaps with their Gray Hairs; there being no small Number of Old Boys in all Times, and especially in this.

It is necessary therefore to make Exceptions to this General Rule, where the Case so much requireth it, as it doth in the Matter in Question.

The Ground of sending these *Minors* to Parliament ought not to recommend the Continuance of it to those who are Lovers of Liberty: since it was by the Authority and Influence of Great Men, that their Stripling Sons were first received by the humble depending Boroughs, or the complying Counties.

They called it, as many do still, the best School for Young Men. Now Experience hath shewed us, that it is like a School only in this Respect, That these Youngsters, when they are admitted, deserve to be whipped in it.

If the House of Commons is a School, it must be for Men of riper Age; these are too young to learn there, and being elevated by a mistaken Smattering in small Politics, they grow too supercilious to learn any where else; so that instead of improving young promising Plants; they are destroyed by being misplaced.

If

If then, they do themselves Hurt by it, it is surer yet that they do the House no Good by coming into it.

They were not Green Geese that are said to have saved the Capitol; they were certainly of full Age, or else their Cackling could not have been heard, so as to give Warning.

Indeed it look'd of late, when the Fashion was to have long continued Parliaments, as if we might plant a Boy in the House with a Prospect that he might continue there till he had Gray Hairs: And that the same Sapling might have such a Root, as that he might grow up to be Timber without being removed.

If these Young Men had Skill enough to pitch upon some Body in the House, to whom they might resign their Opinion, and upon whose Judgment they might lean without Reserve, there might be less Objection.

But to speak Truth, they know as little how to chuse, as those did who elected them; so that there is no other Expedient left, than the letting them alone.

One may say, generally speaking, that a young Man being too soon qualified for the serious Business of Parliaments, would really be no good Symptom.

It is a Sign of too much Phlegm, and too little Fire in the Beginning of Age, if Men have not a little more Heat than is convenient; for as they

C

grow

grow older, they will run a Hazard of not having so much as is necessary.

The Truth is, the Vigour of Youth is softened and misapplied, when it is not spent either in War or close Studies; all other Courses have an idle Mixture that cometh to Nothing, and maketh them like Trees, which for Want of Pruning run up to Wood, and seldom or never bear any Fruit.

To conclude this Head, it must be owned, that there is no Age of our Life which doth not carry Arguments along with it to humble us: And therefore it would be well for the Business of the World, if young Men would stay longer before they went into it, and old Men not so long before they went out of it.

X. Next to these may be ranked a Sort of superfine Gentlemen, Carpet-Knights, Men whose Heads may be said to be only Appurtenances to their Perukes, which intirely ingross all their Care and Application.

Their Understanding is so strictly appropriated to their Dress, that no Part of it is, upon Pain of their utmost Displeasure, to be diverted to any other Use.

It is not by this intended to recommend an affected Clown, or to make it a necessary Qualification for a Member of Parliament, that he must renounce clean Linen or good Manners; but surely a too earnest Application to make every Thing
fit

fit right about them, striketh too deep into their small Stock of Thoughts to allow it Furniture for any Thing else.

To do Right to these fine-spun Gentlemen, Business is too coarse a Thing for them, which maketh it an unreasonable Hardship upon them to oppress them with it; so that in Tenderneſs to them, no leſs than out of Care to the Publick, it is beſt to leave them to their Taylors, with whom they will live in much better Correſpondence, when the Danger is prevented of their falling out about Privileges.

XI. Men of Injuſtice and Violence, in their private Dealings, are not to be truſted by the People with a Commiſſion to treat for them in Parliament.

In the 4th of *Edw. III.* the King commandeth in his Writs not to chuſe any Knights who had been guilty of Crime, or Maintenance.

Theſe warm Men ſeldom fail to run into Maintenance, taken in a larger Extent.

It is an unnatural ſound to come from a Man that is arbitrary in his Neighbourhood, to talk of Laws and Liberties at *Weſtminſter*; he is not a proper Vehicle for ſuch Words, which ought never to be prophaned.

An habitual Breaker of the Laws, to be made one of the Law-Makers, is as if the Benches in *Weſtminſter-Hall* ſhould be filled with Men out of *Newgate*.

Those who are of this Temper cannot change their Nature out of Respect to their Country.

Quite contrary, they will less scruple to do Wrong to a Nation where no Body taketh it to himself, than to particular Men, to whose Resentments they are more immediately exposed.

In short, they lie under such strong Objections, that the Over-balance of better Men cannot altogether purify an Assembly where these unclean Beasts are admitted.

XII. Excessive Spenders, and unreasonable Savers, are to be excluded, being both greedy from different Causes.

They are both of them Diseases of Infection, and for that Reason are not to be admitted into Publick Assemblies.

A prodigal Man must be greedy because he thinketh he can never spend enough.

The Wretch must be so, because he will never think he can hoard enough.

The World first admireth Men's Wisdom for getting Money, and then railleth at them if they do not throw it away; so that the Prodigal Man is only the less unpopular Extreme; he is every Jot as well prepared as the Miser to fall out with his Morals, when once a good Temptation is offered him to lay them aside.

On the other Side, some Rich Men are as eager to overtake those that are Richer, as a Running-horse

horse is to get to the Race-post, before the other that contendeth with him.

Men often desire to heap, rather because others have more, than that they know what to do with that which they covet with so much Impatience.

So that it is plain, the Fancy hath as great a Share in this imaginary Pleasure of Gathering, as it hath in Love, Ambition, or any other Passion.

It is pretty sure, that as no Man was ever the richer for having a good Estate, if he did not look after it; so neither will he be the honestest if he hath never so much.

Want of Care will always create Want of Money; so that whether a Man is a Beggar because he never had any Money, or because he can never keep any, it is all one to those who are to trust him.

Upon this Head of Prodigality, it may be no unreasonable Caution to be afraid of those who in former Service have been extravagantly liberal of the Publick Money.

Trusting is so hazardous a Thing, that it should never be done but where it is necessary; so that when Trustees are found upon Trial to be very lavish, even without examining into the Causes of it, (which are generally very suspicious) it is a reasonable Part of preventing Wit to change Hands, or else the Chusers will pay the Penalty that belongeth to good Nature so misplaced, and the Consequences will be attended with the Aggra-

C 3
vation

vation of their not being made wiser by such a severe and costly Warning.

XIII. It would be of very great Use to take a general Resolution throughout the Kingdom, That none should be chosen for a County but such as have, either in Possession or Reversion, a considerable Estate in it; nor for a Borough, except he be Resiant, or that he hath some Estate in the County, in present or Expectancy.

There have been eminent Men of Law who were of Opinion, That in the Case of a Burgefs of a Town not Resiant, the Court is to give Judgment according to the Statute, notwithstanding Custom to the contrary.

But not to insist now upon that, the prudential Part is Argument enough to set up a Rule to abrogate an ill Custom.

There is not, perhaps, a greater Cause of the Corruption of Parliaments, than by adopting Members who may be said to have no Title by their Births.

The Juries are by the Law to be *Ex vicineto*; and shall there be less Care that the Representatives of the People be so too?

Sure the Interest of the Country is best placed in the Hands of such as have some Share in it.

The Outliers are not so easily kept within the Pale of the Laws.

They are often chosen without being known which is more like chusing Valentines, than Members

bers of Parliament. The Motive of their standing is more justly to be supposed, that they may redress their own Grievances, which they know, than those of the Country, to which they are Strangers.

They are chosen at *London* to serve in *Cornwall*, &c. and are often Parties, before they come to be Representatives: One would think the Reproach it is for a County not to have Men within their own Circle to serve them in Parliament, should be Argument enough to reject these Trespassers, without urging the ill Consequences in other Respects of their being admitted.

XIV. As in some Cases it is advisable to give a total Exclusion to Men not fitly qualified; so in others it is more proper to lay down a general Rule of Caution, with Allowance of some Exceptions, where Men have given such Proofs of themselves, as create a Right for them to be distinguished.

Of this Nature is that which I shall say concerning Lawyers, who, by the same Reason that they may be useful, may be also very dangerous.

The Negligence, and Want of Application in Gentlemen, hath made them to be thought more necessary than naturally they are in Parliament.

They have not only ingrossed the Chair of the Speaker, but that of a Committee is hardly thought to be well filled, except it be by a Man of the Robe,

This maketh it worthy of the more serious Reflection of all Gentlemen, that it may be an Argument to them to qualify themselves in Parliamentary Learning, in such a Manner, as that they may rely upon their own Abilities, in order to the serving their Country.

But to come to the Point in Question: It is not without Precedent, that Practising-Lawyers have been excluded from serving in Parliament; and without following those Paterns strictly, I cannot but think it reasonable, that whilst a Parliament sitteth, no Member of Parliament should plead at any Bar.

The Reason of it is in many Respects strong in itself, and is grown much stronger by the long sitting of Parliaments of late; but I will not dwell upon this: The Matter now in Question being concerning Lawyers being elected, which I conceive should be done with so much Circumspection, that probably it would not often happen.

If Lawyers have great Practice, that ought to take them up; if not, it is no great Sign of their Ability; and at the same Time giveth a Suspicion, that they may be more liable to be tempted.

If it should be so in Fact, that no King ever wanted Judges to soften the Stiffness of the Laws that were made, so as to make them suit better with the Reason of State, and Convenience of the Government, it is no Injury now to suppose it possible for Lawyers in the House of Commons,

Commons, so to behave themselves in the making of New Laws, as the better to make Way for the having their Robes lined with Fur.

They are Men used to argue on both Sides of a Question; and if ordinary Fees can inspire them with very good Reasons in a very ill Cause, that Faculty exercised in Parliaments, where it may be better encouraged, may prove very inconvenient to those that chuse them.

And therefore, without arraigning a Profession, that it would be scandalous for a Man not to honour; one may, by a Suspicion, which is the more excusable when it is in the Behalf of the People, imagine that the Habit of taking Money for their Opinion, may create in some, such a Forgetfulness to distinguish, that they may take it for their Vote.

They are generally Men who by a laborious Study hope to be advanced: They have it in their Eye as a Reward for the Toil they undergo.

This maketh them generally very slow, and ill disposed (let the Occasion never so much require it) to wrestle with that Soil where Preferment groweth.

Now if the Supposition be in itself not unreasonable, and that it should happen to be strengthened and confirmed by Experience, it will be very unnecessary to say any more upon this Article, but leave it to the Electors to consider of it.

XV. I cannot forbear to put in a Caveat against Men tied to a Party.

There must in every Body be a Leaning to that Sort of Men who profess some Principles, more than to others who go upon a different Foundation; but when a Man is drowned in a Party, plunged in it beyond his Depth, he runneth a great Hazard of being upon ill Terms with good Sense, or Morality, if not with both of them.

Such a Man can hardly be called a Free-Agent, and for that Reason is very unfit to be trusted with the People's Liberty, after he hath given up his own.

It is said, that in some Part of the *Indies* they do so affect little Feet, that they keep them squeezed while they are Children, so that they stay at that small Size after they are grown Men,

One may say Something like this of Men locked up in a Party; they put their Thoughts into such a narrow Mould, that they can never be enlarged nor released from their first Confinements,

Men in a Party have *Liberty* only for their *Motto*; in Reality they are greater Slaves than any Body else would care to make them,

A Party, even in Times of Peace, (though against the original Contract, and the Bill of Rights) sets up and continues the Exercise of Martial Law; Once inrolled, the Man that quitteth, if they had their Will, would be hanged for a Deserter.

They

They communicate Anger to one another by Contagion: And it may be said, that if too much Light dazzleth the Eye-sight, too much Heat doth not less weaken the Judgment.

Heat reigneth in the Fancy; and Reason, which is a colder Faculty of the Brain, taketh more Time to be heard, than the other will allow.

The Heat of a Party is like the Burning of a Fever; and not a natural Warmth, evenly distributed to give Life and Vigour.

There was a Time indeed when Anger shewed a good Sign of Honesty; but that Evidence is very much weakened by Instances we have seen since the Days of Yore: And the Publick-spirited Choler hath been thrown off within Time of Memory, and lost almost all its Credit with some People, since they found what Governments thought fit to make their so doing a Step to their Preferment.

A strong blustering Wind seldom continues long in one Corner.

Some Men knock loud only to be let in; the Bustle they make is animated by their private Interest. The outward Blaze only is for Religion and Liberty: The true lasting Fire, like that of the Vestals which never went out, is an Eagerness to get Somewhat for themselves.

A House of Commons composed of such Men, would be more properly so many Merchants incorporated in a regular Company, to make their
particular

particular Adventures, than Men sent from the People to serve and represent them.

There are some splenetick Gentlemen who confine their favourable Opinion within so narrow a Compass, that they will not allow it to any Man that was not hanged in the late Reigns.

Now by that Rule one might expect they should rescue themselves from the Disadvantage of being now alive; and by abdicating a World so little worthy of them, get a great Name to themselves, with the general Satisfaction of all those they would leave behind them.

Amongst the many other ill Consequences of a stated Party, it is none of the least, that it tempteth low and insignificant Men to come upon the Stage, to expose themselves, and to spoil Business.

It turneth a Cypher into a Figure, such a one as it is: A Man in a Party is able to make a Noise, let it be never so empty a Sound.

A weak Man is easily blown out of his small Senses, by being mustered into a Party; he is flattered till he liketh himself so well, that he taketh it extremely ill if he hath not an Employment.

Nothing is more in Fashion, than for Men to desire good Places; and I doubt Nothing is less so than to deserve them.

From Nobody to Somebody is such a violent Stride, that Nature, which hath the negative Voice, will

will not give its Royal Assent to it: So that when insufficient Men aim at being in Business, the worst of their Enemies might, out of Malice to them, pray for their Preferment.

There could be no End, if one did not stop till this Theme had no more Matter to furnish. I will only say, Nothing is more evident, than that the Good of the Nation hath been sacrificed to the Animosities of the several contending Parties; and without entering into the Dispute, which of them are more or less in the Right, it is pretty sure, that whilst these opposite Sets of angry Men are playing at Foot-ball, they will break all the Windows, and do more Hurt than their pretended Zeal for the Nation will ever make Amends for.

In short, a Man so engaged is retained before the People take him for their Council; he hath such a Reverse for his Party, that it is not advisable for those who would chuse him, to depend upon his Professions. All Parties assuming such a Dispensing Power, that by their Sovereign Authority they cancel and dissolve any Act or Promise that they do not afterwards approve.

These Things considered, those who will chuse such Men deserve whatever followeth.

XVI. Pretenders to exorbitant Merit in the late Revolution, are not without Objections against them, when they stand to serve in Parliament. It would not only be a low, but a criminal Kind of Envy, to deny a distinguishing Justice to Men
who

who have been instrumental and active, when the Service of their Country required it. But there ought to be Moderation in Men's Claims, or else it is out of the Power of our poor Island to satisfy them. It is true, Service of all Kinds is grown much dearer, like Labourer's Wages, which formerly occasioned several Statutes to regulate them.

But now the Men who only carried Mortar to the Building, when it is finished, think they are ill dealt with, if they are not made Master-Workmen.

They presently cry out, The Original Contract is broken, if their Merit is not rewarded, at their own Rate too.

Some will think there never ought to be an End of their Rewards; when indifferent Judges would perhaps be puzzled to find out the Beginning of their Merit.

They bring in such large Bills, that they must be examined: Some Bounds must be put to Men's Pretensions; else the Nation, which is to pay the Reckoning, will every Way think it a scurvy Thing to be undone, whether it be by being over-run by our Enemies, or by the being exhausted by our Friends.

There ought therefore to be Deductions where they are reasonable, the better to justify the paying what remaineth.

For

For Example, if any of these passionate Lovers of the Protestant Religion should not think fit, in their Manner of Living, to give the least Evidence of their Morality, their Claims upon that Head might sure be struck off without any Injustice to them.

If there are any who set down great Sums as a Reward due to their Zeal for rescuing Property from the Jaws of Arbitrary Power; their Pretensions may fairly be rejected, if now they are so far from shewing a Care and Tendernefs of the Laws, that they look rather like Council retained on the other Side.

It is no less strange, than I doubt it is true, that some Men should be so in love with their dear Mistress, *Old England*, with all her Wrinkles, as out of an heroic Passion to swim over to rescue her from being ravished; and when they have done the Feat, the first Thing after Enjoyment is, that they go about to strangle her.

For the Sake of true Love, it is not fit that such ungente Gallants should be too much encouraged; and their Arrogance for having done well at first, will have no Right to be excused, if their so doing ill at last doth not make them a little more modest.

True Merit, like a River, the deeper it is, the less Noise it makes.

These loud Proclaimers of their own Deserts, are not only to be suspected for their Truth, but

the

the Electors are to consider that such meritorious Men lay an Assessment upon those that chuse them.

The Publick Taxes are already heavy enough without the Addition of these Private Reckonings. It is therefore the safer Way not to employ Men who will expect more for their Wages, than the mistaken Borough that sendeth them up to Parliament could be fold for.

XVII. With all due Regard to the noblest of Callings, Military Officers are out of their true Element when they are misplaced in a House of Commons.

Things in this World ought to be well suited. There are some Appearances so unnatural, that Men are convinced by them without any other Argument.

The very Habit, in some Cases, recommendeth or giveth Offence.

If the Judges upon the Bench should, instead of their Furs, which signify Gravity, and bespeak Respect, be cloathed like the Jockeys at *New-Market*, or wear Jack-Boots and *Steenkirks*; they would not in Reality have less Law, but Mankind would be so struck with this unusual Object, that it would be a great While before they could think it possible to receive Justice from Men so accoutered.

It is to some Degree the same Thing in this Case; such martial Habits, Blue Coats, Red Stockings, &c. make

make them look very unlike grave Senators. One would almost swear they were Creatures apart, and of a differing Species from the Rest of the Body.

In former Times, when only the Resiant Shop-keeper was to represent his Corporation (which by the Way is the Law still at this Day) the military Looks of one of these Sons of *Mars*, would have stared the quaking Member down again to his Borough.

Now the Number of them is so increased, that the peaceable Part of the House may lawfully swear they are in Fear of their Lives, from such an awful Appearance of Men of War.

It maketh the Room look like a Guard-house by such an ill-suited Mixture. But this is only the Outside, the Bark of the Argument; the Root goeth yet deeper against chusing such Men, whose Talents ought to be otherwise applied.

Their two Capacities are so inconsistent, that Men's undertaking to serve both the Cures, will be the Cause, in a little Time, that we shall neither have Men of War, nor Men of Business, good in their several Kinds.

An Officer is to give up his Liberty to obey Orders; and it is necessarily incident to his Calling that he should do so.

A Member of Parliament is originally to be tender of his own Liberty, that other Men may the better trust him with their's.

An Officer is enabled himself by his Courage, improved by Skill and Experience, to support the Laws (if invaded) when they are made ; but he is not supposed to be at Leisure enough to understand how they should be made.

A Member of Parliament is to fill his Thoughts with what may best conduce to the Civil Administration ; which is enough to take up the whole Man, let him be never so much raised above the ordinary Level.

These two opposite Qualifications, being placed in one Man, make him such an ambiguous, divided Creature, that he doth not know how to move.

It is best to keep Men within their proper Sphere ; few Men have Understanding enough exactly to fill even one narrow Circle, fewer are able to fill two ; especially when they are both of so great Compass, and that they are so contrary in their own Natures.

The Wages he hath as a Member, and those he receiveth as an Officer, are paid for Services that are very differing ; and in the Doubt which of them should be preferably performed, it is likely the greater Salary may direct him, without the further Inducements of complying most, where he may expect most Advantage by it.

In short, if his Dependance is not very great, it will make him a scurvy Officer ; if it is great, it will make him a scurvier Member.

XVIII. Men under the Scandal of being thought private Pensioners, are too fair a Mark to escape being considered, in Reference to the Point in Question.

In Case of plain Evidence, it is not to be supposed possible, that Men convicted of such a Crime should ever again be elected.

The Difficulty is in determining what is to be done in Case of Suspicion.

There are Suspicions so well grounded, that they may pretend to have the Force of Proofs, provided the Penalty goeth only to the forbidding to trust, but not extending it so far as to punish.

There must be some Things plain and express to justify the latter, but Circumstances may be sufficient for the former: As where Men have had such sudden Cures of their ill Humours, and Opposition to the Court, that it is out of the Way of ordinary Methods of Recovery from such Distempers, which have a much slower Progress; it must naturally be imputed to some Specifick that maketh such a quick Alteration in the whole Mass of Blood.

Where Men have raised their Way of Living, without any visible Means to support them in it, a Suspicion is justified, even by the Example of the Law, which in Cases of this Kind, though of an inferior Nature, doth, upon this Foundation, not only raise Inferences, but inflict Punishments.

Where Men are immoral, and scandalous in their Lives, and dispense familiarly with the Rules by which the World is governed, for the better preserving the Bonds of Human Society; it must be a Confidence very ill placed, to conclude it impossible for such Men to yield to a Temptation well offered and pursued; when, the Truth is, the Habit of such *Bons Vivants*, which is the fashionable Word, maketh a Suspicion so likely, that it is very hard not to believe it to be true.

If there should be Nothing but the general Report, even that is not to be neglected.

Common Fame is the only Liar that deserveth to have some Respect still reserved to it; though she telleth many an Untruth, she often hits right, and most especially when she speaketh ill of Men.

Her Credit hath sometimes been carried too far, when it hath gone to the divesting Men of any Thing of which they were possessed, without more exprefs Evidence to justify such a Proceeding.

If there was a Doubt whether there ever was any Corruption of this Kind, it would alter the Question; but sure that will not bear the being controverted.

We are told, that *Charles* the Fifth sent over into *England* 1,200,000 Crowns, to be distributed amongst the leading Men, to encourage them to carry on Elections.

Here

Here was the Protestant Religion to be bought out for a valuable Consideration according to Law, though not according to Gospel, which exalteth it above any Price that can be set upon it.

Now, except we had Reason to believe that the Virtue of the World is improved since that Time, we can as little doubt that such Temptations may be offered, as that they may be received.

It will be owned, that there is to be a great Tenderneſs in ſuſpecting; but it muſt be allowed at the ſame Time, that there ought not to be leſs in truſting, where the People are ſo much concerned; eſpecially, when the Penalty upon the Party ſuſpected goeth no further than a Suſpenſion of that Confidence, which it is neceſſary to have in thoſe who are to repreſent the Nation in Parliament.

I cannot omit the giving a Caution againſt admitting Men to be choſen, who have Places of any Value.

There needeth the leſs to be ſaid upon this Article, the Truth of the Propoſition being ſupported by ſuch plain Arguments.

Sure no Man hath ſuch a plentiful Spring of Thought, as that all that floweth from it is too much to be applied to the Buſineſs of Parliament.

It is not leſs ſure, that a Member of Parliament, of all others, ought not to be exempted from the Rule, That no Man ſhould ſerve two Maſters.

It

It doth so split a Man's Thoughts, that no Man can know how to make a fitting Distribution of them to two such differing Capacities.

It exposeth Men to be suspected, and tempted, more than is convenient for the Publick Service, or for the mutual good Opinion of one another; which there ought to be in such an Assembly.

It either giveth a real Dependance upon the Government, which is inconsistent with the Necessity there is, that a Member of Parliament should be disengaged; or at least it hath the Appearance of it, which maketh them not look like Freemen, though they should have Virtue enough to be so.

More Reasons would lessen the Weight of this last, which is, That a Bill to this Effect, commonly called the *Self-denying Bill*, passed even this last House of Commons.

A greater Demonstration of the irresistible Strength of Truth cannot possibly be given; so that a Copy of that Bill in every County or Borough, would hardly fail of discouraging such Pretenders from standing, or at least it would prevent their Success if their own Modesty should not restrain them from attempting it.

XX. If Distinctions may be made upon particular Men, or Remarks fixed upon their Votes in Parliament, they must be allowed in Relation to those Gentlemen, who for Reasons best known to them-

themselves, thought fit to be against the *Triennial Bill*.

The Liberty of Opinion is the Thin in the World that ought least to be controlled, and especially in Parliament.

But as that is an undoubted Assertion, it is not less so, That when Men sin against their own Light, give a Vote against their own Thought, they must not plead Privilege of Parliament against the being arraigned for it by others, after they are convicted of it by themselves.

There cannot be a Man, who in his Definition of a House of a Commons will state it to be an Assembly, that for the better redressing of Grievances the People feel, and for the better furnishing such Supplies as they can bear, is to continue, if the King so pleaseth, for his whole Reign.

This could be as little intended, as to throw all into one Hand, and to renounce the Claim to any Liberty, but so much as the Sovereign Authority would allow.

It destroyeth the End of Parliaments; it maketh Use of the Letter of the Law to extinguish the Life of it.

It is, in Truth, some Kind of Disparagement to so plain a Thing, that so much has been said and written upon it; and one may say, It is such an Affront to these Gentlemen's Understandings to censure this Vote only as a Mistake, that, as the Age goeth, it is less Discredit to them to call it by

its right Name; and if that is rightly understood by those who are to chuse them, I suppose they will let them exercise their Liberty of Conscience at Home, and not make Men their Trustees, who in this solemn Instance have such an Unwillingness to surrender.

It must be owned, that this Bill hath met with very hard Fortune, and yet that doth not in the least diminish the Value of it.

It had in it such a Root of Life, that it might be said, it was not dead but slept; and we see that the last Session, it was revived and animated by the Royal Assent, when once fully informed of the Consequence, as well as of the Justice of it.

In the mean Time, after having told my Opinion, Who ought *not* to be chosen;

If I should be asked, Who ought to be? my Answer must be, Chuse *Englishmen*; and when I have said that, to deal honestly, I will not undertake that they are easy to be found.

4 00 58

F I N I S.

